

Second Preliminary Amendment

Prior to taking up the subject application for a first action on the merits, please amend the claims to conform the claims to the elected invention as follows:

IN THE CLAIMS:

Please cancel non-elected claims ~~23~~ and ~~26-41~~, without prejudice or abandonment of the subject matter thereof.

L Please amend claim 24 as follows: *L*

1) 24. (Amended) The method as claimed in claim 22 or 42 [23] wherein the statin drug is administered as a pharmaceutical combination additionally comprising at least one other drug used for treating diabetes or the complications of diabetes.

L Please add the following new claims 42 to 48: *L*

42. (New) A method as claimed in claim 22 wherein the statin drug is the calcium salt of (E)-7-[4-(4-fluorophenyl)-6-isopropyl-2-[methyl(methylsulfonyl)amino] pyrimidin-5-yl] (3R,5S)-3,5-dihydroxyhept-6-enoic acid.

43. (New) A method as claimed in claim 24 wherein the at least one other drug used for treating diabetes or the complications of diabetes is an insulin sensitising agent.

C2 44. (New) A method as claimed in claim 43 wherein the insulin sensitising agent is (S)-2-ethoxy-3-[4-(2-{4-methanesulfonyloxyphenyl}ethoxy)phenyl]propanoic acid.

45. (New) A method as claimed in claim 24 wherein the drugs are administered separately in individual dosage forms together or sequentially.

46. (New) A method as claimed in claim 24 wherein the drugs are administered in the same unit dosage form.

47. (New) A method as claimed in claim 22 or 42 wherein 5 mg to 80 mg of the statin drug is administered.

48. (New) A method as claimed in claim 24 wherein the drugs are administered orally.